

MARY ANN SMITH
Deputy Commissioner
DANIEL P. O'DONNELL
Assistant Chief Counsel
CHARLES CARRIERE (State Bar No. 285837)
Counsel
Department of Business Oversight
One Sansome Street, Suite 600
San Francisco, California 94104
Telephone: (415) 972-8570
Facsimile: (415) 972-8550

Attorneys for Complainant

BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
OF THE STATE OF CALIFORNIA

)	
In the Matter of:)	NMLS ID NO.: 485567
THE COMMISSIONER OF BUSINESS)	
OVERSIGHT,)	ORDER DENYING MORTGAGE LOAN
)	ORIGINATOR LICENSE APPLICATION
Complainant,)	
)	
v.)	
)	
ORY RAMIREZ,)	
)	
Respondent.)	
)	

The Commissioner of Business Oversight (Commissioner) finds that:

- On or about September 1, 1994, the United States District Court for the Central District of California entered a judgment against Ory Ramirez (Ramirez) for mail fraud, in violation of Title 18, United States Code section 1341.
- The judgment ordered Ramirez to serve forty-six months in the Federal Bureau of Prisons.
- On or about November 27, 2017, Ramirez applied for a Mortgage Loan Originator (MLO) license with the Commissioner pursuant to Financial Code section 50140.

4. During the application process, Ramirez disclosed to the Commissioner that he had been convicted of or plead guilty to a felony.

5. Ramirez further disclosed to the Department that for a period of six months in 1989 and 1990, he submitted inflated bills to the Medi-Cal program, and that it was for this conduct that the September 1, 1994 judgment was entered against him.

6. Ramirez also noted in his submission to the Department that he “knew it was wrong” to submit inflated bills to the Medi-Cal program.

7. Financial Code section 50141, subdivision (a)(2)(a) provides that the Commissioner “shall deny an application for a mortgage loan originator license unless” the Commissioner finds that the applicant “has not... been convicted of... a felony in a domestic... court... at any time preceding the date of application, if such felony involved an act of fraud” or “dishonesty.”

8. As discussed above, Ramirez was convicted of mail fraud under Title 18, United States Code section 1341, which prohibits using the U.S. Postal Service for “any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises...” A violation of section 1341 carries a maximum sentence of twenty years. (*Id.*) Under Title 18, United States Code section 3559(a)(3), an offense with a maximum prison term of less than twenty-five years but ten or more years is a Class C felony.

9. The Commissioner finds, by reason of the foregoing, that Ramirez was convicted of an act of “fraud” within the meaning of Financial Code section 50141, subdivision (a)(2)(a), because he committed fraud by submitting inflated bills to the Medi-Cal program. These acts also involved “dishonesty” within the meaning of Financial Code section 50141, subdivision (a)(2)(a), because Mr. Ramirez stated to the Department that he submitted inflated bills even though he knew it was wrong to do so. Ramirez was convicted of a felony for these fraudulent and dishonest acts on September 1, 1994, and therefore, under Financial Code section 50141, subdivision (a)(2)(a), the Commissioner must deny Ramirez’s MLO license application.

10. On July 2, 2018, the Commissioner issued a Notice of Intention to Issue Order Denying Mortgage Loan Originator License Application, Statement of Issues in Support of Notice of Intention to Issue Order Denying Mortgage Loan Originator License and accompanying

documents based on the above findings. On or about July 6, 2018, Ramirez was served with those documents at his address of record. Ramirez did not file a request for hearing and the time to do so has expired.

11. Based on the foregoing findings, Financial Code section 50141, subdivision (a)(2)(a), requires that the Commissioner deny Ramirez’s application for a mortgage loan originator license.

NOW GOOD CAUSE APPEARING THEREFORE, IT IS HEREBY ORDERED that the application for a mortgage loan originator license of Ory Ramirez is denied. This order is effective as of the date hereof.

Dated: October 26, 2018

San Francisco, California

JAN LYNN OWEN

Commissioner of Business Oversight

By _____

MARY ANN SMITH

Deputy Commissioner